

OCT 25 2005

PATENT

Docket No.: 1232-5156

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): MATSUMOTO et al.

Group Art Unit: 1765

Serial No.: 10/664,998

Confirmation No. 4610

Examiner: Anita Karen Alanko

Filed: September 18, 2003

For: POSITION DETECTING METHOD AND APPARATUS

**CERTIFICATE OF FACSIMILE TRANSMISSION**

Mail Stop Amendment  
COMMISSIONER for PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that the following item(s):

## 1. Response to Restriction Requirement

is/are being transmitted pursuant to 37 C.F.R. §1.8 by facsimile on the date indicated below to Examiner **Anita Karen Alanko** of Group Art Unit 1765 at the following facsimile number: (571) 273-8300. Transmission Total: 4 pages (including this cover sheet).

Respectfully submitted,  
MORGAN & FINNEGAN, LLP

Date: October 25, 2005By: 

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952518 v1

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Alexandria, VA 22313-1450**RESPONSE TO REQUIREMENT FOR RESTRICTION/ELECTION**

Sir:

In response to the Official Action dated September 27 in which pending claims 1-18 are subject to a Restriction and/or Election Requirement and, Applicants respectfully submit the following response.

**I. The Examiner's Restriction/Election Requirement**

The Examiner has determined that this application contains claims directed to four groups of patentably distinct invention:

Group I: Claims 1-8, drawn to a method for detecting a position, classified in class 216;  
and

Group II: Claims 9-19, drawn to an apparatus, classified in class 438.

**II. Applicants' Election**

Applicants provisionally elect to pursue prosecution of (1) Group I claims (i.e. claims 1-8).

**II. Applicants' Traversal**

This election is made with traverse. Applicants respectfully submit that (1) all groups of claims are properly presented in the same application; (2) undue diverse searching should not be required; and (3) all claims should be examined together. For the foregoing reasons, it is respectfully submitted that the election requirement should be withdrawn and an action on the merits of all the originally presented claims is respectfully solicited.

If any issues exist, or if the Examiner has any suggestions for expediting allowance of the application, the Examiner is invited to contact the undersigned at the telephone number below.

952512 v1

Appl. No. 10/664,998  
Response dated October 25, 2005  
In Reply to Office Action of September 27, 2005

Docket No. 1232-5156

**AUTHORIZATION**

No fee is believed due for this response. The Commissioner, however, is hereby authorized to charge any fees which may be required for this response to Deposit Account 13-4500, Order No. 1232-5156.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: October 25, 2005By: 

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